

DK0059PG0304

Ordinance No. 40-19

RE: Rezoning Case No. 19-02

Amending the Huntingtown Town Center Zoning Map

(Tax Map 18, Parcel 235)

Page 1 of 3

Pertaining to Amending the Huntingtown Master Plan and Zoning Ordinance and the Calvert County Zoning Ordinance (Huntingtown Town Center Zoning Map)

RE: Tax Map 18, Parcel 235, Huntingtown, MD to Rezone 9.8± Acres from Neighborhood to Mixed Use District in the Huntingtown Town Center
(Rezoning Case No.19-02)

WHEREAS, Title 4 of the *Land Use Article* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners of Calvert County, Maryland (the “Board of County Commissioners”) to enact a Zoning Ordinance to promote the health, safety and welfare of the citizens of Calvert County, and to provide for its administration, enforcement and amendment;

WHEREAS, by Ordinance 35-06, the Board of County Commissioners has heretofore adopted the Calvert County Zoning Ordinance and by Resolution 41-93 adopted the Master Plan and Zoning Ordinance for the Huntingtown Town Center;

WHEREAS, by §3-204 of the *Land Use Article* of the Maryland Annotated Code, the Board of County Commissioners of Calvert County may modify and amend the Huntingtown Master Plan and maps adopted thereby, and, by §4-204 of the *Land Use Article* of the Maryland Annotated Code, may modify and amend the Huntingtown Zoning Ordinance and Calvert County Zoning Ordinance and maps adopted therewith;

WHEREAS, Bonnie S. Horan applied for the rezoning of her “Property” identified as 4110 Old Town Road, Huntingtown, Maryland (Tax Map 18, Parcel 235), in the Huntingtown Town Center from Neighborhood and Residential Districts to the Mixed Use District, specifying a mistake in the existing zoning classification occurred when the Zoning Districts for Huntingtown Town Center were adopted on October 5, 1993;

WHEREAS, after study and evaluation, the Calvert County Department of Planning & Zoning recommended to the Planning Commission and the Board of County Commissioners to remap the Property;

WHEREAS, after due notice was published, the Properties duly posted, and notices sent to adjoining property owners, the Board of County Commissioners and the Planning Commission of Calvert County, Maryland (hereinafter, the “Planning Commission”) conducted a joint public hearing on November 19, 2019, at which time the proposed map changes were discussed, staff’s recommendations were considered, and public comment was solicited;

WHEREAS, at the conclusion of said public hearing the Planning Commission voted to recommend adoption of the map changes and conveyed its recommendation to the Board of County Commissioners by resolution; and

WHEREAS, after considering the staff report, testimony presented at the public hearing regarding the proposed map amendment, and the recommendation of the Planning Commission, the County Commissioners of Calvert County, Maryland are of the opinion and belief that it is in the best public interest of, and in order to secure the health, safety and general welfare for, the present and future of residents of Calvert County, and in order to achieve the purposes set out in the *Land Use Article* of the Maryland Annotated Code, to adopt and approve Rezoning Case #19-02, pertaining to Parcel 235 upon Tax Map 18, being approximately 9.8 acres of land, more or less, and **DOES** hereby **ADOPT** the amendments to those maps attached hereto as Exhibit A (Exhibit B depicts the amendments as they will appear in the official maps of the Master Plan and Zoning Ordinances).

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, the Huntingtown Master Plan and Zoning Ordinance and Calvert County Zoning Ordinance **BE**, and hereby **ARE**, amended by adopting the rezoning as shown in attached Exhibit A hereto and made a part hereof.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance or the Huntingtown Master Plan and Zoning Ordinance and Calvert County Zoning Ordinance, are found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Master Plan and Zoning Ordinances shall be enforceable and valid.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective upon recordation and without publication of a fair summary, but not sooner than ten (10) days following adoption.

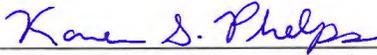
DONE, this 19th day of November 2019 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 4
Nay: 0
Absent/Abstain: 1 Absent - Hart

(Signatures on Following Page)

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**

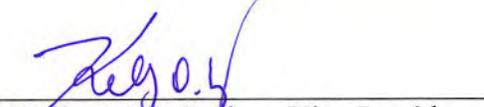


Karen Snyder Phelps, Clerk



Thomas E. Hutchins, President

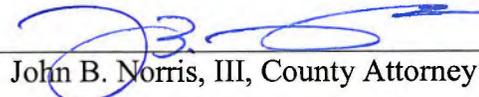
Approved for form and legal
sufficiency by:



Kelly D. McConkey, Vice-President

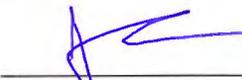


Earl F. Hance



John B. Norris, III, County Attorney

Mike Hart



Steven R. Weems

Received for Record..... 11/21 2019
at..... 3:40 o'clock..... P. M. Same day
recorded in Liber KPS No. 59
Folio... 304 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.



Exhibit A

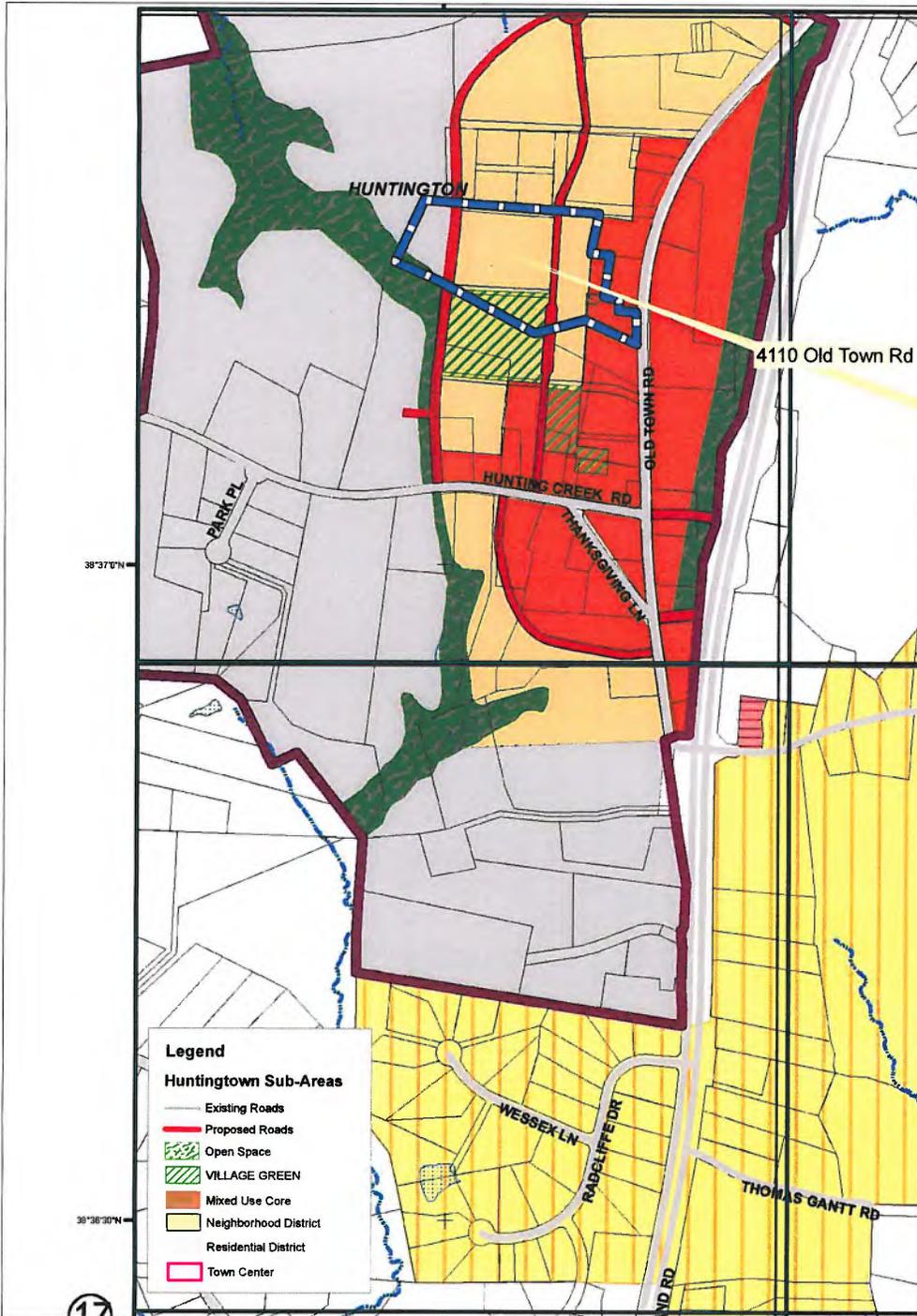


Exhibit B

